PTO/SB/21 (08-00) Approved for use through 10/31/2002. OMB 0651-0031 ease type a p/as sign (\*) inside this box -> 🔫 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE he Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. 09/700.014 Application Number TRANSMITTAL Filing Date December 29, 2000 **FORM** First Named Inventor Roger Talish and Alan Winder (to be used for all correspondence after initial filing) 3743 Group Art Unit **Examiner Name** Dagostino Total Number of Pages in This Submission Attorney Docket Number 41482/205537 ENCLOSURES (check all that apply) After Allowance Communication to Assignment Papers Fee Transmittal Form (for an Application) Appeal Communication to Board of Fee Attached Drawing(s) Appeals and Interferences Appeal Communication to Group Amendment / Response Licensing-related Papers (Appeal Notice, Brief, Reply Brief) Petition After Final Proprietary Information Petition to Convert to a Affidavits/declaration(s) Status Letter **Provisional Application** Power of Attorney, Revocation Other Enclosure(s) Extension of Time Request Change of Correspondence Address (please identify below): Form PTO-1449 (1 page) Terminal Disclaimer 7328 Publications Express Abandonment Request Request for Refund **Return Receipt Postcard** Information Disclosure Statement CD, Number of CD(s) RECEIVED Certified Copy of Priority Remarks Document(s) Response to Missing Parts/ FEB 1 1 2003 Incomplete Application Response to Missing **TECHNOLOGY CENTER R3700** Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Bruce D. Gray, Reg. No. 35,799 Kilpatrick Stockton LLP Individual name Signature Date

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APPLICANTS:

Roger J. Talish and

Alan A. Winder

**SERIAL NO.:** 

09/700,014

GROUP ART UNIT:

3743

FILED:

December 29, 2000

**EXAMINER:** 

Dagostino, S.

FOR:

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ATTORNEY DOCKET NO.: 41482/205537

Commissioner for Patents Washington, D.C. 20231

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## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicants identify the documents listed on the Form PTO-1449 accompanying this submission. Copies of the listed documents are enclosed.

## Remarks

Applicants do not concede that the identified materials constitute prior art within the meaning of the United States patent laws.

This Information Disclosure Statement is being filed pursuant to 37 CFR § 1.97(b)(3), before the mailing of an Office action on the merits. Applicants believe that no fee is due in connection with this filing, however, the Commissioner is authorized to charge any additional fees due or credit any overpayment to Deposit Account No. 11-0855 if Applicants are mistaken.

U.S. Serial No. 09/700,014
Filed: December 29, 2000
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Respectfully submitted,

Bruce D. Gray

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Sheet 1 of 1 Docket No.: Application No. Form PTO-1449 41482/205537 09/700,014 Applicant: INFORMATION DISCLOSURE Roger J. Talish and Alan A. Winder CITATION Group Art Unit IN AN APPLICATION Filing Date: (Use several sheets if necessary) December 29, 2000 3743 U.S. PATENT DOCUMENTS Examiner Patent Number Date Patentee Class Subclass Translation Initial 4,630,323 12/23/86 Sage et al. 4,787,070 11/22/88 Suzuki et al. 5,962,790 10/05/99 Lynnworth, et al. **NON U.S. DOCUMENTS** WO 99/58080 11/18/99 **PCT** 0 965 839 A1 12/22/99 Europe

Date Considered:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

OTHER MATERIAL

Caplan, et al., Clinical Orthopaedics and Related Research, No. 342:254-269 (1997)

Moran, et al., The Journal of Bone and Joint Surgery, 74-B:659-667 (1992)

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